IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.8998 of 2008
EKBAL GADDI & ANR
Versus
STATE OF BIHAR
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2 2.5.2008 Heard learned counsel for the petitioners and the State.

The petitioners are accused in a case under section 302 read with other sections of the Penal Code.

The allegation is that about 50-60 persons belonging to different Samities in the village had gathered together. It is specifically alleged that Vijay Mahto, Zubair Ansari, Badrilal, Nek Mohammad Mian, Bhajan Sah and Suresh Choudhary fired upon the informant and others killing four persons. The case is of 1997. The petitioners surrendered on 5.12.2007 and 11.12.2007 respectively.

Learned counsel for the petitioners submits that a number of persons including Suresh Choudhary who had fired was granted bail vide Cr. Misc. No. 7595 of 2000 on 22.6.2000. It is further submitted that others were also granted bail in different years. Learned counsel submits that the petitioners belonged to a different Samiti and their names have been dragged in the case because they were present in the meeting.

Considering the fact that petitioners have surrendred on 5.12.2007 and 11.12.2007 respectively, they, namely, Ekbal Gaddi and Jodha Ram are directed to be released on bail on or after 2.6.2008 in Jogapatti PS Case No. 87/1997 on furnishing bail bonds of rupees ten thousand each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bettiah,West Champaran.

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haque **(Sheema Ali Khan, J.)**